

STATE OF NORTH CAROLINA
COUNTY OF DAVIDSON

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
14OSP03402

FREDDIE WAYNE HUFF II
PETITIONER,

V.

NC DEPARTMENT OF PUBLIC SAFETY
RESPONDENT.

**FINAL DECISION
ORDER GRANTING SUMMARY
JUDGMENT FOR RESPONDENT**

THIS CAUSE came on to be heard before the undersigned on February 10, 2015 on Respondent's Motion for Summary Judgment and Petitioner's cross Motion for Summary Judgment. After reviewing the pleadings and hearing the arguments of counsel, the undersigned finds there are no genuine issues of material fact and the Respondent is entitled to judgment as a matter of law.

Now therefore, it is hereby ordered as follows:

1. Respondent's Motion for Summary Judgment is GRANTED.
2. Petitioner's Motion for Summary Judgment is DENIED.

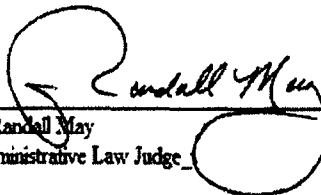
NOTICE

This is a Final Decision issued under the authority of N.C. Gen. Stat. § 150B-34.

Under the provisions of North Carolina General Statute § 150B-45, any party wishing to appeal the final decision of the Administrative Law Judge must file a Petition for Judicial Review in the Superior Court of the county where the person aggrieved by the administrative decision resides, or in the case of a person residing outside the State, the county where the contested case which resulted in the final decision was filed. **The appealing party must file the petition within 30 days after being served with a written copy of the Administrative Law Judge's Final Decision.** In conformity with the Office of Administrative Hearings' rule, 26 N.C. Admin. Code 03.0102, and the Rules of Civil Procedure, N.C. General Statute 1A-1, Article 2, **this Final Decision was served on the parties the date it was placed in the mail as indicated by the date on the Certificate of Service attached to this Final Decision.** N.C. Gen. Stat. § 150B-46 describes the contents of the Petition and requires service of the Petition on all parties. Under N.C. Gen. Stat. § 150B-47, the Office of Administrative Hearings is required to file the official record in the contested case with the Clerk of Superior Court within 30 days of

receipt of the Petition for Judicial Review. Consequently, a copy of the Petition for Judicial Review must be sent to the Office of Administrative Hearings at the time the appeal is initiated in order to ensure the timely filing of the record.

This the 16th day of February, 2015.

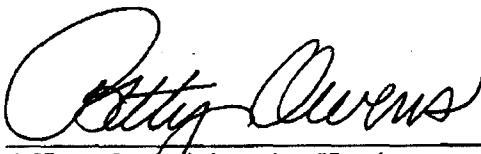

J. Randall May
Administrative Law Judge

On this date mailed to:

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CAROLINA BEACH NC 28428
ATTORNEY FOR PETITIONER

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ATTORNEY FOR RESPONDENT

This the 16th day of February, 2015.


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